

ORDINANCE NO. 024-145

AN ORDINANCE AUTHORIZING A
FOURTH AMENDMENT TO AN
ANTENNA SITE LICENSE
AGREEMENT WITH GRE-GOCO
ORRINGTON OWNER LLC FOR
THE OPERATION OF THE
AUTHORITY'S
COMMUNICATIONS EQUIPMENT
LOCATED AT 1603 ORRINGTON
AVENUE, EVANSTON, ILLINOIS

WHEREAS, The Metropolitan Transit Authority Act, 70 ILCS 3605/8, provides that the Chicago Transit Authority ("Authority") has the power to acquire any real property useful for its purposes; and

WHEREAS, Since 1982, the Authority has had a license to operate and maintain communication facilities for a rooftop antenna located at 1603 Orrington Avenue, Evanston, Illinois (the "Property"), as shown in Exhibit A attached hereto; and

WHEREAS, The Authority's communications equipment at the Property provides a vital link in the Authority's radio communications system for the bus and rail operations on the north side of Chicago and adjoining suburban areas; and

WHEREAS, The current Antenna Site License Agreement with GRE-GOCO Orrington Owner LLC, as successor in interest to GFRI/Golub Evanston L.L.C., LR 1603 Orrington LLC, and Orrington LL, LLC, was entered into on February 1, 2004, and was extended in 2009, 2013, and 2020, per Ordinance Nos. 009-3, 013-168, and 020-112; and

WHEREAS, The License Agreement expired on January 31, 2024, and has been operating on a month-to-month basis; and

WHEREAS, Technology Staff has reviewed communication system requirements and determined that continued use of the Property for the operation and maintenance of the Authority's Communications Equipment is required for bus and rail operations; and

WHEREAS, Staff has negotiated a Fourth Amendment to the Antenna Site License Agreement which would permit the continued use of the Property through February 1, 2029 for an initial annual License fee of Thirteen Thousand Six Hundred Thirty-Three Dollars and Eight Cents (\$13,633.08) which will increase by three percent (3%) per year; and

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WHEREAS, All other terms and conditions of the License Agreement, including the mutual indemnification clause, will remain unchanged; now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. The Chicago Transit Board hereby authorizes a Fourth Amendment to the Antenna Site License Agreement between GRE-GOCO Orrington Owner LLC, as Licensors, and the Chicago Transit Authority, as Licensee, for use of certain portion of the roof antenna located at 1603 Orrington Avenue, Evanston, Illinois, as shown in Exhibit A hereto, to operate and maintain the Authority communications equipment to extend the agreement for five (5) years, effective February 1, 2024 to January 31, 2029.

SECTION 2. The Chairman of the Chicago Transit Board, or designee, is hereby authorized to enter into an agreement which includes a first year annual license fee of Thirteen Thousand Six Hundred Thirty-Three Dollars and Eight Cents (\$13,633.08) which will increase by three (3%) per year, provides that the other terms of the Antenna Site License Agreement including the mutual indemnification clause shall remain unchanged, and contains such other terms that are substantially in conformance with the Fourth Amendment to Antenna Site License Agreement attached Exhibit B hereto.

SECTION 3. The Chairman, or designee, is further authorized to take such actions and execute such documents as may be necessary to implement the objective of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

November 13, 2024

Secretary

November 13, 2024